



06-06-01

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K #3**PATENT**

Atty Docket No. 389175

Express Mail Label No. EL 846918122 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Jennings, et al.

Serial No.: 09/766,519

Filed: January 19, 2001

For: System and Method for Streaming Media

Group No.: 2152

Examiner:

**Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231****TRANSMITTAL**

Attached please find the following:

- ☒ A copy of the Notice to File Missing Parts of Nonprovisional Application
- ☒ Combined Declaration and Power of Attorney
- ☒ Recordation Form Cover Sheet
- ☒ Assignment
- ☒ Power of Attorney By Assignee of Entire Interest and Certificate of Assignee Under 37 C.F.R. 3.73(b) (with a copy of the assignment)
- ☒ Check in the amount of \$40.00 (Assignment Recordation Fee); and check in the amount of \$65.00 for the Missing Parts Surcharge

**CERTIFICATE UNDER 37 C.F.R. § 1.8 and § 1.10**

I hereby certify that, on the date shown below, this correspondence is being

- ☒ deposited with the United States Postal Service in an envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 with sufficient postage:

**MAILING**

- ☐ 37 C.F.R. § 1.8  
as first class mail.

- ☒ 37 C.F.R. § 1.10  
as "Express Mail Post Office to Addressee"  
EXPRESS MAIL NO. EL846918122US

**FACSIMILE TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Wendy Precht  
Name of Depositor

*Wendy Precht*  
Signature

June 4, 2001

Date

***PATENT***

Atty Docket No. 389175

Express Mail Label No. EL 846918122 US

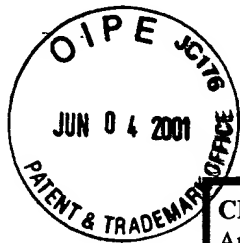
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 12-0600.

A duplicate of this request is attached.

Respectfully submitted,

LATHROP & GAGE, L.C.

By James M. Stipek  
James M. Stipek, Reg. No. 39,388  
2345 Grand Boulevard, Suite 2800  
Kansas City, Missouri 64108  
Tel: (816) 460-5848  
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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Jennings, Charles A.

Serial No.	Filing Date	Examiner	Matter No.
09/766,519	19 January 2001	Not Yet Assigned	389175

Title: System and Method for Streaming Media

I hereby certify that this Certificate of Mailing By Express Mail; Transmittal (2 pages); Notice to File Missing Parts of Nonprovisional Application (2 pages); Combined Declaration and Power of Attorney (5 pages); Recordation Form Cover Sheet (1 page); Assignment (3 pages); Power of Attorney By Assignee of Entire Interest (2 pages, with copy of Assignment attached); Check in the amount of \$40 (Assignment Recordation Fee); Check in the amount of \$65.00 (Missing Parts Surcharge);; authorization to charge additional fees that may be required, or credit any overpayment, to Deposit Account No. 12-0600; and postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on this 4th day of June, 2001.

Wendy Precht

Name of Depositor

Signature of Depositor

EL846918122US

Express Mail Label No.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/766,519	01/19/2001	Charles A. Jennings	389175

CONFIRMATION NO. 9767

## FORMALITIES LETTER



\*OC000000005932151\*

LATHROP & GAGE, L.C.  
2345 Grand Boulevard, Suite 2800  
Kansas City, MO 64108

Date Mailed: 04/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

06/07/2001 AGDITOM 00000019 09766519

The following item(s) appear to have been omitted from the application:

09205 65.00 OP

- Figure(s) **Fig 7, and Fig 8** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

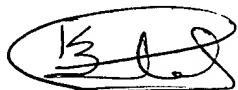
III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of

the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

A handwritten signature, possibly reading "K. A. S.", is written inside an oval.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE